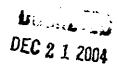
# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION



Aero Products International, Inc., a Florida corporation, and Robert B. Chaffee, an individual,	) Civil Action No.: 02 C 2590 ) ) DEC 2 1 2004
Plaintiffs,	) Judge John W. Darrah
<b>v.</b>	) )
Intex Recreation Corp., a California corporation, Quality Trading, Inc., a California corporation, Wal-Mart Stores, Inc., a Delaware corporation,	) Magistrate Judge Geraldine Soat Brown, )
Defendants.	FILER DEC 21 CH
AND RELATED CROSS-ACTION	PM 1: 23

#### AMENDED NOTICE OF APPEAL

The Notice of Appeal filed yesterday, December 20, 2004, contained a scrivener's error misidentifying Plaintiffs Aero Products International, Inc. ("Aero") and Robert B. Chaffee as parties defendant and appellant. Defendants are filing this Amended Notice to correct this error: the Notice of Appeal is not filed on behalf of Aero or Mr. Chaffee.

Defendants Intex Recreation Corporation, Quality Trading, Inc., and Wal-Mart Stores, Inc. are the parties appealing to the United States Court of Appeals for the Federal Circuit from the Memorandum Opinion and Order entered in this action on December 15, 2004 and the Permanent Injunction entered on September 16, 2004. Enclosed is a check for \$255, representing the \$250 fee for docketing and the \$5 fee for the certified copy of docket entries, as specified by Rule 3 of the Federal Rules of Appellate Procedure and 28 U.S.C. § 1913.

RECEIPT # 104 195

MICHAEL W. DOBBINS CLERK, U.S. DISTRICT COURT

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

M. DANIEL HEFNER

Date: December 21, 2004

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Defendants.	
AND RELATED CROSS-ACTION	) ) )

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the attached:

#### AMENDED NOTICE OF APPEAL

was served upon Plaintiffs Aero Products International, Inc. and Robert B. Chaffee by hand delivery to their attorneys at the following address on the date indicated below:

William H. Frankel
Michael P. Chu
David H. Bluestone
Mark H. Remus
Brinks Hofer Gilson & Lione
NBC Tower, Suite 3600 - 455 North Cityfront Plaza Drive
Chicago IL 60611-5599

Copies of documents required to be served by Fed.R.Civ.P. 5(a) have been served.

LEYDIG, VOIT & MAYER, LTD. MARK E. PHELPS M. DANIEL HEFNER

LEWIS BRISBOIS BISGAARD & SMITH LLP DAVID-N: MAKQUS (Cal. Bar No. 82409) WILLIAM C. STEFFIN (Cal. Bar No. 54626) THOMAS S. KIDDE (Cal. Bar No. 61/117) SCOTT R. MAYNARD (Cal Bar No. 224932)

DATED: December 21, 2004

By:

M. Daniel Hefre

Attorneys for Defendant and Counterclaim Plaintiff Intex Recreation Corp., and Defendants Quality Trading Inc. and Wal-Mart Stores, Inc.